IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of	:	Kenneth Martin.
Serial No.	:	10/657,854
For	:	**Position Sensing Methods for Interface Devices**
Filed	:	September 9, 2003
Examiner	:	J. Piziali
Art Group	:	2629

INFORMATION DISCLOSURE STATEMENT
(SUBMISSION AFTER FILING OF AN APPLICATION
BUT BEFORE FINAL REJECTION OR NOTICE OF ALLOWANCE
OR CONCURRENTLY WITH A RULE 1.114 RCE APPLICATION)

Sir:

Pursuant to 37 C.F.R. §§ 1.97 and 1.98, applicant(s) hereby submit(s) an Information Disclosure Statement for consideration by the Examiner.

I.   LIST OF PATENTS, PUBLICATIONS OR OTHER INFORMATION

The patents, publications, or other information submitted for consideration by the Office are listed on the PTO/SB/08A(s), attached hereto.

II.   COPIES (check at least one box)

a.   ☐   This application was filed before June 30, 2003. Accordingly, submitted herewith is a legible copy of (i) each U.S. and foreign patent; (ii) each publication or that portion which caused it to be listed; and (iii) all other information or that portion which caused it to be listed.

b.   ☒   This application was filed on or after June 30, 2003. Accordingly, copies of cited U.S. patents and patent application publications therefore are not included. Copies of foreign patent documents and non-patent literature are included.

c. ☐ Some or all of the documents listed on the PTO/SB/08A are not enclosed because they were cited in the International Search Report and copies should already be in the PTO file. If copies are needed, please contact the undersigned.

III. CONCISE EXPLANATION OF THE RELEVANCE
(check at least one box)

a. ☒ **DOCUMENTS IN THE ENGLISH LANGUAGE**

The patents, publications, or other information listed on the attached PTO/SB/08A are in the English language and therefore, do not require a statement of relevancy.

b. ☐ **DOCUMENTS NOT IN THE ENGLISH LANGUAGE**

A concise explanation of the relevance of all patents, publications, or other information listed that is not in the English language is as follows:

c. ☐ **ENGLISH LANGUAGE SEARCH REPORT**

An English language version of the search report or action that indicates the degree of relevance found by the foreign office is attached, thereby satisfying the requirement for a concise explanation. See MPEP 609(III)(A)(3).

d. ☐ **OTHER**

The following additional information is provided for the Examiner's consideration.

FEES

IV. ☐ **THIS IDS IS BEING FILED UNDER 37 C.F.R. § 1.97(b):**
(check one box)

    a.   ☐   within three months of the filing date of a national application (37 C.F.R. § 1.97(b)(1)). No fee or statement is required. *(This section is not to be used with RCE's.)*

    b.   ☐   within three months of the date of entry of the national stage as set forth in § 1.491 in an international application (37 C.F.R. § 1.97(b)(2)). No fee or statement is required.

    c.   ☐   concurrently with the filing of a Request for Continued Examination under § 1.114 (37 C.F.R. § 1.97(b)(4)). No fee or statement is required.

    d.   ☐   before the mailing date of a first Action on the merits (37 C.F.R. § 1.97(b)(3)). No fee or statement is required.

           In the event that a first Office Action on the merits has been issued, please consider this IDS under 37 C.F.R. § 1.97(c) and see the statement under 37 C.F.R. § 1.97(e) below, or, if no statement has been made, charge our deposit account in the amount of $180.00 as required by 37 C.F.R. § 1.17(p).

V. ☒ **THIS IDS IS BEING FILED UNDER 37 C.F.R. § 1.97(c):**
(check one box)
before the mailing date of a Final Office Action under 37 C.F.R. § 1.113· (See 37 C.F.R. § 1.97(c)(1)) or before the mailing date of a Notice of Allowance under 37 C.F.R. § 1.311 (See 37 C.F.R. § 1.97(c)(2)).

    a.   ☒   No statement; therefore, a fee in the amount of $180.00 as required by 37 C.F.R. § 1.17(p).

                                        or

    b.   ☐   See the statement below. No fee is required.

VI. <u>STATEMENT UNDER 37 C.F.R. § 1.97(e)</u> (check <u>only</u> one box)

The undersigned hereby states that

a. ☐ each item of information contained in the IDS was first cited in any communication from a foreign Patent Office in a counterpart foreign application not more than three months prior to the filing of this IDS; or

b. ☐ no item of information contained in the IDS was cited in a communication from a foreign Patent Office in a counterpart foreign application, and, to the knowledge of the person signing the certification after making reasonable inquiry, no item of IDS was known to any individual designated in 37 C.F.R. § 1.56(c) more than three months prior to the filing of the IDS.

c. ☐ Some of the items of information were cited in a communication from a foreign Patent Office. As to this information, the undersigned states that each item of information contained in the IDS was first cited in a communication from a foreign Patent Office in a counterpart foreign application not more than three months prior to the filing of this IDS. As to the remaining information, the undersigned hereby states that no item of this remaining information contained in the IDS was cited in a communication from a foreign Patent Office in a counterpart foreign application and, to the best of my knowledge after making reasonable inquiry, was known to any individual designated in 37 C.F.R. § 1.56(c) more than three months prior to the filing of this statement.

VII. PAYMENT OF FEES (check one box)

☒   Payment by credit card Form PTO-2038 in the amount of $180 required by 37 C.F.R. § 1.17(p) is enclosed for the above-identified fee.

☐   Please charge Deposit Account No. 11-0855 in the amount required by 37 C.F.R. § 1.17(p) for the above-indicated fee. A triplicate copy of this paper is attached.

☐   No fee is required.

If the Examiner has any questions concerning this IDS, he/she is requested to contact the undersigned. If it is determined that this IDS has been filed under the wrong rule, the PTO is requested to consider this IDS under the proper rule and charge the appropriate fee to Deposit Account No. 11-0855.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 11-0855 for any additional fees required under 37 C.F.R. § 1.16 or under § 1.17.

Respectfully submitted,

Date: _October 18, 2010_   _Carl Sanders (Reg. No. 57,203)_
                                            Carl Sanders (Reg. No. 57,203)
                                            Kilpatrick Stockton LLP
                                            1001 West Fourth Street
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Attachment(s):   x   PTO/SB/08A
                  x   Documents
                  x   Fee
                       Other: